

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

REDACTED

UNITED STATES OF AMERICA,

Plaintiff,

v.

BRYANT K. ERVIN

Defendant.

Criminal Action No. 08-

44

INDICTMENT

The Grand Jury for the District of Delaware charges that:

COUNT ONE

On or about February 16, 2008, in the State and District of Delaware, BRYANT K. ERVIN, defendant herein, did knowingly possess in and affecting interstate and foreign commerce, a firearm, that is, a Cobra Enterprises, model CA32, semi-automatic .32 caliber handgun, serial number CPO26498, after having been convicted on or about February 9, 1999, of a crime punishable by imprisonment for a term exceeding one year, in the Superior Court of the State of Delaware, in violation of Title 18, United States Code, Sections 922(g)(1) & 924(a)(2).

NOTICE OF FORFEITURE

Upon conviction of the offense alleged in Count One of this Indictment, defendant BRYANT K. ERVIN shall forfeit to the United States pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c), all firearms and ammunition involved in the commission of the offense, including but not limited to the following:

a Cobra Enterprises, model CA32, semi-automatic .32 caliber handgun, serial number CPO26498

If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to 21 U.S.C. § 853(p) as incorporated by 28 U.S.C. § 2461(c), to seek forfeiture of any other property of said defendant up to the value of the forfeitable property described above.

A TRUE BILL:

COLM F. CONNOLLY
UNITED STATES ATTORNEY

By: _____

Shawn A. Weede
Assistant United States Attorney

Dated: March 13, 2008